

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 100 EAST  
FALLS CHURCH, VIRGINIA 22042-1248  
USA

(703) 205-8000  
FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

OTHER OFFICES:  
CARLSBAD, CALIFORNIA  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

Date: December 15, 2003

Docket No.: 3319-0110P

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): YANG, Pang-Lun and CHIH, Ting-Hui

For: ILLUMINATED LOGO DEVICE

Enclosed are:

- ☒ A specification consisting of Eight (8) pages
- ☒ Three (3) sheet(s) formal drawings
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 092109286 filed in TAIWAN on April 22, 2003.
  - ☒ Certified copy(ies) is(are) attached hereto.
  - ☐ Certified copy(ies) will follow.
- ☒ Executed Declaration (☒ Original ☐ Photocopy)
- ☐ An assignment of the invention

- ☒ Petition Under 37 C.F.R. § 1.47(b), Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor(s), Declaration Regarding Inventor's Refusal to Sign Declaration, Statement Establishing Proprietary Interest By Person Signing on Behalf of Nonsigning Inventor, and \$130.00 fee required under 37 C.F.R. § 1.17(i).
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Other:
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

|   |                 |                 | LARGE ENTITY  | SMALL ENTITY  |
|---|-----------------|-----------------|---------------|---------------|
|   | BASIC FEE       |                 | \$770.00      | \$385.00      |
|   | NUMBER<br>FILED | NUMBER<br>EXTRA | RATE FEE      | RATE FEE      |
| TOTAL<br>CLAIMS   | 9- 20 =         | 0               | X 18 = \$0.00 | x 9 = \$0.00  |
| INDEPENDENT<br>CLAIMS   | 1- 3 =          | 0               | x 86 = \$0.00 | x 43 = \$0.00 |
| <input type="checkbox"/> MULTIPLE DEPENDENT<br>CLAIMS PRESENTED |                 |                 | + \$290.00    | + \$145.00    |
| TOTAL   |                 |                 | \$770.00      | \$0.00        |

- ☒ A check in the amount of \$900.00 to cover the filing fee and petition fee (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

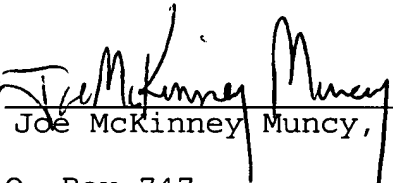
☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy, #32,334

KM/smt  
3319-0110P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 11/30/03)

MS PETITION  
PATENT  
3319-0110P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: YANG, Pang-Lun et al      Conf.:  
Appl. No.: NEW      Group:  
Filed: December 15, 2003      Examiner:  
For: ILLUMINATED LOGO DEVICE

PETITION UNDER 37 C.F.R § 1.47(b)

MS PETITION      December 15, 2003  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This petition is for BENQ Corporation to make the application on behalf of themselves and the non-signing inventor, Pang-Lun YANG.

**1. Declaration**

Attached is a Declaration listing Pang-Lun YANG's name, residence, citizenship, and last known address, and signed by Hermit HUANG, Vice President and General Manager of BENQ Corporation.

**2. Proof of Proprietary Interest**

Pang-Lun YANG has agreed to assign his rights in the present invention to BENQ Corporation.

**3. Proof of the Pertinent Facts**

Attached is a Statement of Facts in Support of Filing on Behalf of Non-signing Inventor by Yu-Hui SUNG of the pertinent facts regarding Mr. Pang-Lun YANG'S refusal to sign the Declaration. In this Statement of Facts and the accompanying Declaration, Yu-Hui SUNG sets forth that a diligent effort was made to have Pang-Lun YANG sign the Declaration, but that Pang-Lun YANG gave his express oral refusal to sign the Declaration.

**4. Proof that Action is Necessary to Preserve the Rights of the Parties or to Prevent Irreparable Damage**

The present application claims priority of Taiwanese Application No. 92109286 filed on April 22, 2003. Accordingly, a filing date is necessary to make a claim for priority under 35 U.S.C. § 119.

**5. Inventor's Last Known Address**

The inventor's last known address is as follows:

Pang-Lun YANG  
3 Fl.-2, No. 2, Lane 71, Szu Wei Rd., Wuchi Town,  
Taichung, Taiwan, R.O.C.

**6. Fee Payment (37 C.F.R. § 1.17(i))**

- ☒ A check in the amount of \$130.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

6. Fee Payment (37 C.F.R. § 1.17(i))

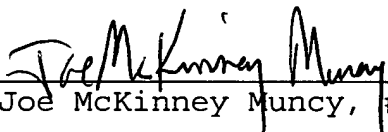
- ☒ A check in the amount of \$130.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

A *bona fide* attempt is being made to comply with the provisions of 37 C.F.R. 1.47.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy, #32,334

KM/smt  
3319-0110P  
Attachments

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000